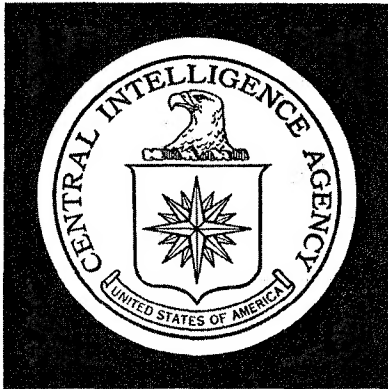


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DIRECTORATE OF
INTELLIGENCE

Intelligence Memorandum

STATUS OF THE NONPROLIFERATION TREATY NEGOTIATIONS

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CENTRAL INTELLIGENCE AGENCY
Directorate of Intelligence
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INTELLIGENCE MEMORANDUM

Status of the Nonproliferation Treaty Negotiations

1. The Eighteen Nation Disarmament Committee (ENDC) resumed its sessions in Geneva on 21 February still facing serious difficulties in reaching agreement on a treaty to curb the spread of nuclear weapons. At present, the ENDC is proceeding with a general debate while awaiting submission of the draft nonproliferation treaty (NPT) by the co-chairmen of the ENDC --the USSR and the US. The US wanted to submit the draft formulations at the opening ENDC session but the USSR refused on grounds that an agreed complete draft text was not available for high-level consideration in Moscow. The major missing article is the provision for international safeguards. Since mid-February, the Soviets have shifted their position and say they are now willing to submit a draft to the ENDC--presumably even without the safeguards article--after they have consulted with their allies and following agreement on the text by the US and USSR. However, the US delegation in Geneva now estimates it may be several weeks before a draft can be presented to the ENDC. This would allow those Western and nonaligned countries which have reservations about the treaty additional time to concert their views and to obtain further concessions.

2. In an effort to prevent this, the US delegation is giving oral briefings on the treaty formulations to the eight nonaligned members of the ENDC.

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The US is explaining to the nonaligned that the preamble to the treaty would include assurances that the benefits of peaceful applications of nuclear technology would be available to all parties. Nuclear explosives for peaceful uses would likewise be available on a nondiscriminatory basis through appropriate international procedures. Whether this will overcome the prevailing skepticism among the nonaligned is difficult to say. Although they all favor a nonproliferation treaty as such, they will be very persistent not only in trying to obtain guarantees of the continued availability of atomic energy for peaceful uses for all parties, but also in pressing the nuclear powers to undertake disarmament measures and to provide security guarantees to nonnuclear states threatened by "nuclear blackmail."

3. A major stumbling block remains the projected article on safeguards which has become a source of serious friction within the Western alliance. Particularly among the EURATOM countries, opposition continues to grow to acceptance of International Atomic Energy Agency (IAEA) safeguards as a part of the draft treaty. In West Germany, the press has from the beginning insisted that the safeguards provision would be "grossly discriminating" against EURATOM members. Germany's ambassador to NATO has on several recent occasions stated that the provision is not only incompatible with EURATOM, but with the EEC as well. Similar objections have been voiced in Italy, and within the past few days, official opinion in the Benelux countries--which had been favorable toward the nonproliferation treaty--has taken a distinctly more skeptical trend.

4. The situation within EURATOM, however, is a very complicated one. France, which has no intention of signing the NPT and which as a nuclear power would not be subject to IAEA inspection even if it did, has come out strongly against parallel or joint IAEA-EURATOM safeguards controls within the EURATOM area. The French argue that the IAEA presence would jeopardize cooperative research projects and ultimately call into question the existence of EURATOM itself. Moreover, posing as EURATOM's

"protector," the French also charge that the US is "discriminating" against the community and is "prepared to sell EURATOM's safeguards system down the river." While these arguments have the effect of stirring up a kind of nationalistic fervor for the community among the other members, they also have had the effect of making them painfully aware of the preferred position France would have within the community under the NPT. Thus, for example, Italian Premier Moro is said to be convinced that if the treaty were signed in its present form, De Gaulle and his successors would be given a strong motivation for preventing any further moves toward political or military unity among the EEC countries.

5. Italy and the Benelux countries also fear that the safeguards question could become another obstacle to Britain's accession to the Common Market. A senior Italian Foreign Ministry official told the US Embassy in Rome last week that conclusion of the treaty in its present form would so confirm France's dominant position that it "would never let the UK into the community." The Dutch are likewise said to fear that Paris has been maneuvering to be able to claim that London has showed "too little concern for European integration" in its support of the treaty. The British press has in fact taken notice of the difficulties within EURATOM and the delicate situation in which the UK has been placed. In a recent aide-memoire to the US, London said it fully supported an effective safeguards provision in the treaty, but added that since some EURATOM countries considered the provision discriminatory, Britain would have to "comment on this aspect of the question with caution."

6. These crosscurrents were particularly evident at the 16 February meeting of EURATOM's permanent representatives. The Germans offered two counterproposals for consideration: (1) a safeguards provision which would include an option covering EURATOM with the understanding that negotiations with IAEA would follow; or (2) a treaty with no safeguards provision. The first alternative obviously derives from a proposal offered by Germany last fall for a formal agreement between EURATOM and the IAEA--providing for various exchange

arrangements. (It would probably take a long time to work out such an agreement, and even then it might not be acceptable to the USSR.) The French, however, refused to allow consideration of the general German proposition that the NPT and safeguards issue be discussed and decided on a community basis. Although he reiterated that Paris did not intend to sign the treaty, the French representative pointedly advised his colleagues that while France considered the question of signing to be a sovereign national decision to be made by each country, France also expected each EURATOM member to "weigh most carefully" the implications for the future of EURATOM, the EEC, and European unity.

7. In any case, the problems of some of the Western allies go far beyond the safeguards question. The West Germans continue officially to support the treaty in principle. They maintain, however, that it should be linked to general disarmament, that civil uses of nuclear energy must not be hindered, and that Bonn must receive binding interpretations of certain other provisions of the draft treaty. Although the opposition to the treaty continues to focus on the effect it might have on German scientific and technological advancement, these objections in a number of instances seem little more than a cover masking some leaders' opposition to the treaty for largely political reasons. Influential nationalist elements in the CDU/CSU, for example, maintain that the US and the USSR are dealing over the heads of the European powers. They maintain that the treaty is in the nature of a "diktat" which will be imposed on Bonn and which would compel acceptance of restraints incompatible with West Germany's status as a sovereign state.

8. Chancellor Kiesinger and Foreign Minister Brandt have had some success in calming public opinion, and a number of newspapers have called for a halt to the "wild, emotional and dangerous" controversy on grounds that it threatens both the prestige of the government and the credibility of German policy. Nevertheless, much of the press, and many politicians in the CDU/CSU, like Strauss, Adenauer, Guttenberg, and Zimmerman, have publicly declared their opposition to the treaty in its

present form. Probably even more worrisome to Kiesinger is the concern expressed by respected figures such as Minister of Scientific Research Stoltenberg, Bundestag deputy Birrenbach, and the physicist, Professor Weizsaecker. German officials have meanwhile approached the US with proposals which are intended to meet their basic objections to the NPT. These proposals specifically call for an agreement with the US on "binding interpretations" on well-known key issues.

9. The debate over the NPT could possibly cause strains in the grand coalition sufficiently serious to jeopardize the Kiesinger government. The US Embassy in Bonn notes that while the NPT controversy is still essentially a foreign policy issue it could turn into a major internal problem for Kiesinger. Moderates on this issue within the CDU/CSU are thus pinning their hopes on obtaining from the US textual changes or the proposed binding interpretations which would lessen opposition to the treaty. The Embassy estimates that there are about 70 CDU/CSU deputies (out of 245) who are intrinsically opposed to the treaty and will vote against it come what may in the way of changes, because they consider a negative vote good politics. If other "troubled and undecided" CDU/CSU members should join this hard-core opposition, Kiesinger would face a serious dilemma. As a CDU chancellor he could hardly contemplate a vote in which his principal support would come from the SPD with a majority of his own party in opposition.

10. Italy's attitude toward the NPT draft also continues to be negative, and there is as yet no sign that Rome is preparing to modify its basic objections. At a 21 February meeting of the Western Four of the ENDC, Rome's representative reiterated the Italian reservations already expressed in NATO. His major points were that the treaty should clearly specify that a future European defense community would have access to nuclear weapons and that safeguards should apply to nuclear as well as nonnuclear countries, with EURATOM being delegated inspection functions by the IAEA. He also pointed out that Italian adherence would have to be conditioned on that of certain other countries.

While this reference presumably reflects Italian fears that nonsignatories in the Mediterranean area might pose an eventual threat to Italy, it is more likely that Italy's decision will be contingent on Germany's position. The Italian representative's position at the Western Four session was given prior approval by Italy's Supreme Defense Council--which includes the most important officials in the government--and the government is now preparing proposed amendments to the treaty draft.

11. The Japanese, who continue to be in contact with the Germans and the Italians, also retain their reservations about the treaty. Prime Minister Sato in a recent press conference expressed support for the treaty but indicated that the nuclear powers should pay attention to the interests of the non-nuclear-weapon states. Other Japanese officials have questioned whether the restrictions the treaty would impose are sufficiently nondiscriminatory, and whether enough consideration has been given to the security problems of the nonnuclear states. The Tokyo press has expressed fears that the first two articles of the US draft are so brief as to leave "loopholes for farfetched interpretations." Japanese newspapers have also played up the widening gap between nuclear and nonnuclear nations in the areas of nuclear technology and security which might allegedly result from the treaty, and argued that the only way to ensure world security would be to close the gap gradually through nuclear arms reduction by nuclear powers.

12. In India the Secretary to the Prime Minister has told the US Embassy that if the new Indian Government agrees to sign the nonproliferation treaty it will be open to a barrage of attacks from the greatly strengthened opposition in parliament as well as from the members of the Congress Party. He said New Delhi's concern centered on what it believes to be the one-sided nature of the draft treaty which is in effect asking the nonnuclears to give up their right to develop nuclear weapons while asking the nuclear powers to give up nothing. Furthermore, the development of the Chinese nuclear weapons program, plus the evidence that Peking is moving into the missile business, increases India's sense of insecurity.

13. What impact this chorus of objections might ultimately have on Moscow's attitude toward the treaty is anybody's guess. Soviet negotiator Roshchin in his recent talks with Ambassador Foster at Geneva has seemed eager for the US and the USSR to come to some agreement on a complete text, apparently in the belief that this would weaken the opposition. On the safeguards issue, the Russians have made it clear that they would be willing to drop the issue or accept other compromise language as long as it did not entail Soviet recognition of EURATOM and did not subject Eastern Europe to IAEA safeguards before it subjected the EURATOM community to them. On the other hand, the Russians have also made it clear that there are limits on how far the US might go in meeting the desires of its allies without losing Soviet support of the treaty and that it was for the US, in effect, to elicit the agreement of its allies. For example, a member of the Soviet delegation in Geneva has said that if confronted with any public US statement that the NPT would permit an eventual federated European state to have nuclear weapons, Moscow would have to reject it. The delegate added that Soviet opinion would interpret such a statement as permitting German "access" to nuclear weapons, and that this would jeopardize all the laborious progress of the last six months.

14. Thus, while the nonproliferation treaty commanded broad world support so long as it was a more-or-less remote prospect, its emergence as a close-at-hand reality has brought to the surface difficulties heretofore submerged. In Western Europe, it has been caught up in the problems of European integration and in the struggle for predominant influence among France, Britain, and West Germany within the developing European community organization. For some Europeans, the US attitude toward the safeguards question has seemed to cut across two decades of strong US support for European unification, and for still other Europeans, the secret negotiations between Moscow and Washington which paved the way for the present advance toward an agreement have raised the old bogey of the USSR and the US "dealing over the heads of the Europeans." For some West Germans, the treaty has seemed to

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carry the world closer to the postwar settlement in Europe--a settlement which would leave Germany in a permanently subordinate position. For the world at large, the prospect of the treaty has given new currency to the idea that the super nuclear powers are trying to solidify their world position--a position which would give them not only military predominance, but also the technological superiority which many of the nonnuclear countries still believe is the by-product of a nuclear weapons program. Answers to most if not all of these concerns can probably be found, but this will probably require concessions and specific programs to deal with the views of the "have-nots"--not just assurances that their interests are not being overlooked--and even then, the bruised sensitivities may last a very long time.